



0260 #3
(3)
PATENT

Attorney Docket No. 27373/35172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Di Rienzo, et al.) I hereby certify that this paper and the
Serial No.: 09/251,274) documents referred to as enclosed
Filed: February 16, 1999) herewith are being deposited with the
For: METHODS FOR DETECTION) United States Postal Service as First
OF PROMOTER POLYMORPHISM) Class Mail, postage prepaid, in an
IN A UGT GENE PROMOTER) envelope addressed to: Assistant
Group Art Unit: To be determined) Commissioner for Patents,
Examiner: To be determined) Washington, D.C. 20231 on this date:
April 7, 1999
Jill E. Uhl
Jill E. Uhl
Registration No: 43,213
Attorney for Applicants

0300
5-7-99

ESTABLISHMENT OF SMALL ENTITY STATUS AND REQUEST FOR REFUND
UNDER 37 C.F.R. §1.28(a)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Submitted herewith is a Verified Statement Claiming Small Entity Status
(Nonprofit Organization) on behalf of the assignee, ARCH Development Corporation.

A copy of the assignment of this application and the invention thereof to
ARCH Development Corporation is attached hereto.

The \$1,558.00 for the above-identified application was paid February 16, 1999.
A refund of \$334.00 is requested in view of the small entity status of the assignee. The
requested refund should be directed to the undersigned's law firm at the address given below.

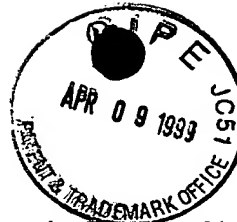
Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN

By

Jill E. Uhl
Jill E. Uhl
Reg. No. 43,213
Attorneys for Applicants
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300

April 7, 1999



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PATENT

Attorney's Docket No: 27373/35172

Applicant or Patentee: Di Rienzo, et al.
Serial or Patent No: 09/251,274
Filed or Issued: February 16, 1999
For: METHOD FOR DETECTION OF PROMOTER
POLYMORPHISM IN A UGT GENE PROMOTER.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d)) -- NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: ARCH DEVELOPMENT CORPORATION

ADDRESS OF ORGANIZATION: 5640 S. Ellis, Suite 405, Chicago, Illinois 60637

TYPE OF ORGANIZATION

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(NAME OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled Method For Detection Of Promoter Polymorphism In A UGT Gene Promoter, by inventor Anna Di Rienzo, Lalitha Iyer and Mark Ratain described in

- ☐ The specification filed herewith.
- ☒ Application Serial No. 09/251,274, filed February 16, 1999.
- ☐ Patent No. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above-identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below, and must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME: _____
ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: _____
ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Alan Thomas

TITLE IN ORGANIZATION: Assistant Secretary

ADDRESS OF PERSON SIGNING: 5640 S. Ellis, Suite 405, Chicago, IL 60637

SIGNATURE:  _____

Date: 4/1/99

A S S I G N M E N T

Serial No: 09/251,274
Filed: February 16, 1999
Title: Method for Detection of Promoter Polymorphism in a UGT Gene Promoter

For ten dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby assign to ARCH Development Corporation, an Illinois corporation, 1101 East 58th Street, Chicago, Illinois 60627 (hereinafter "assignee"), its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, filed on February 16, 1999, and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension thereof.

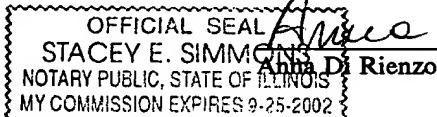
The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned warrant themselves to be the owners of the interest herein assigned and to have the right to make this assignment and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned, except in favor of assignee.

For said consideration the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation, continuation-in-part and substitute applications for said invention or improvements, and any necessary oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns, may deem necessary or expedient, and for said consideration the undersigned further agree upon the request of said assignee, its successors or assigns, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said assignee, its successors or assigns, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, the undersigned hereby agreeing to perform, upon request, any and all affirmative acts to obtain said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in said assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by said assignee, its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

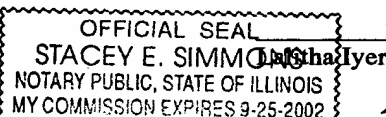
MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN, 6300 Sears Tower, 233 South Wacker Drive, Chicago, Illinois 60606-6402

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WITNESS my hand this 26 day of March, Nineteen Hundred and Ninety ~~Eight~~ ^{nine}State of ILLINOIS
County of COOK } ss.

On this 26 day of March, 1999, before me, a Notary Public in and for the County and State aforesaid, appeared Anna Di Rienzo, to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires: 9-25-2002
Notary PublicWITNESS my hand this 5 day of April, Nineteen Hundred and Ninety-Nine.State of ILLINOIS
County of COOK } ss.

On this 5 day of April, 1999, before me, a Notary Public in and for the County and State aforesaid, appeared Lalitha Iyer, to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires: 9-25-2002
Notary PublicWITNESS my hand this 5 day of April, Nineteen Hundred and Ninety-Nine.State of ILLINOIS
County of COOK } ss.
Mark J. Ratain

On this 5 day of April, 1999, before me, a Notary Public in and for the County and State aforesaid, appeared Mark J. Ratain, to me personally known to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he executed said instrument as his free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires: 1/7/03
Notary Public